

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 12-00119 SI

Plaintiff,

**ORDER DENYING MOTION TO
EXCLUDE GOVERNMENT EXHIBIT 69**

v.


ARMANDO ACOSTA,

Defendant.

Now before the Court is defendant Armando Acosta's motion to exclude government exhibit 69, a rap video featuring defendant. Dkt. No. 1147. The Court admitted the video at trial, over defendant's objection. Defendant then filed the instant motion to strike the exhibit, arguing that it is irrelevant and unfairly prejudicial. The Court finds that the video, which features defendant, is relevant as probative of defendant's ongoing association with the charged enterprise, and that its probative value is not substantially outweighed by the danger of unfair prejudice. Accordingly, defendant's motion is DENIED. This Order resolves Docket No. 1147.

IT IS SO ORDERED.

Dated: September 17, 2014



SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE